IN THE HIGH COURT OF GUJARAT AT

AHMEDABAD

CIVIL REVISION APPLICATION No. 992 of 1997
With
CIVIL REVISION APPLICATION No. 993 of 1997

For Approval and Signature:

THE HON'BLE MISS JUSTICE R.M.DOSHIT Sd/=

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 of any order made thereunder ?

5 Whether it is to be circulated to the civil judge?

==========

GURJAR KSHATRIYA KADIA GNATI MANDAL THRO'TURSTEE AND MEMBER & 12 - Petitioner(s)

Versus

MAHARAJGIRI DAYAGIRI - Respondent(s)

==========

Appearance :

MR VIREN DAVE for YOGESH S LAKHANI for Petitioners.
None for Respondent No(s).: 1.

==========

CORAM :THE HON'BLE MISS JUSTICE R.M.DOSHIT

Date : 27/06/2005

ORAL JUDGMENT

Heard the learned advocates.

Feeling aggrieved by the common judgment and order

dated 31st March, 1997 passed by the learned Assistant Judge, Porbandar in Regular Civil Appeal Nos. 14 of 1991 & 15 of 1991, the appellants, plaintiffs in Regular Civil Suits Nos. 206 of 1982 & 207 of 1982, have preferred the present Revision Applications under Section 29 (2) of the Bombay Rents, Hotel & Lodging House Rates Control Ac, 1947 [hereinafter referred to as, "**Rent Act**"].

The plaintiffs are the trustees and the members of a public charitable trust duly registered as such. Two rooms in the suit building have been leased to the defendant in each suit. The plaintiffs instituted aforementioned suits in the Court of learned Civil Judge [JD], Porbandar. The plaintiffs sought decree on the grounds that the defendants were tenants in arrears of rent for one month; that the defendants caused nuisance and annoyance to the plaintiffs and that the Trust required the suit rooms for *bona fide* purpose of establishing a hostel for the students. The learned Civil Judge, by judgments and orders dated 30th September, 1991 dismissed both the suits and passed decree in favour of the respective defendant. By the *impugned* judgment and order, the said judgments and decrees have been confirmed by the lower appellate court.

No ground for interference is made out. The Revision Applications are dismissed *in limine*. The registry shall maintain copy of this judgment in each Revision Application.

{Miss R.M Doshit, J.}

*Prakash**